

NEWS

Fran Pavley
Assemblymember, 41st District

A MONTHLY ELECTRONIC NEWSLETTER TO THE 41st ASSEMBLY DISTRICT
(Including Agoura Hills, Calabasas, Encino, Malibu, Hidden Hills, Lake Sherwood, Oak Park, Pacific Palisades, Port Hueneme, South Oxnard, Santa Monica, Tarzana, Topanga, Westlake Village, and Woodland Hills.)

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41st District Winter Storms Report

With a district as geographically diverse as the 41st – 70 miles of beaches and coast, and almost all of the Santa Monica Mountains west of the 405 freeway, with their slopes, creeks and canyons – most district communities suffered damage of some kind from the pounding storms, but certainly nothing like what happened to La Conchita in Ventura County. Port Hueneme and Oxnard reportedly had only minor problems of fallen trees and too much water for storm drains to handle. I have walked the debris-strewn beaches near Channel Islands Harbor, and seen a swath 20-30 feet wide and up to 10' deep of trees, plants, beams, irrigation lines, buckets, tires, and even some furniture that was washed down the fast-moving Santa Clara River during the height of the storms. It will be enormously expensive and time-consuming to cleanup.

Two of the major canyon roads that connect commuters from the San Fernando Valley and Las Virgenes inland areas to Pacific Coast Highway – Topanga Canyon Blvd and Las Virgenes Road – were closed, causing near gridlock on the 101 when it had to carry the entire regional traffic burden.



Topanga was heavily impacted with mudslides, creek overflow, boulders, and washed out pavement. A room-sized boulder, estimated at 300 tons, rolled down and blocked the road completely until Caltrans used low-yield explosives to break it up for removal. Because of the immediate repair work necessary, Topanga remains closed to all through traffic. **Residents and school buses only** will have access during the following hours: southbound traffic will be allowed access from 6:30 a.m. to 9 a.m.; northbound traffic will be allowed access from 3:30 p.m. to 7 p.m. These restrictions will occur daily including weekends until further notice.

Malibu suffered mud and rock slides. Several residences have been deemed unsafe for occupancy, and one storm-related traffic accident which resulted in a fatality.

All in all, considering the deluge for so many days without relief, the 41st Assembly District was generally lucky. Special thanks to all of the city, county, Caltrans and other workers who put in long and exhausting hours, and are still at work trying to get the cleanup and road repairs made as quickly as possible.

Broken Promise Fails California's Students

On Monday, January 10, Governor Schwarzenegger released his proposed fiscal 2005-06 state budget. Here are some of the key points of what he proposes for education:

- He reneges on his promise last year with the education coalition (school boards, administrators, teachers, PTAs, etc.) in which he agreed to repay the roughly \$2 billion the state "borrowed" from them to balance the 2004-05 budget.
- He suspends, again, the voter-approved initiative, Proposition 98, which they intended would guarantee roughly 40% of all state revenues to K-12. This is a loss of an additional \$2.3 billion in this year's budget.
- The state will no longer pay \$469 million annually into the State Teachers Retirement System. This means that either school districts will have to shoulder this new cost, or the teachers will have to make up the difference out of their own pockets.
- Students at our California State Universities and University of California systems will see 8% tuition hikes.
- School districts will be pressed to create a vague and undefined "merit pay" system for their K-12 teachers. How will districts identify, quantify, and standardize which teachers may be eligible for additional pay when the schools, students, and available resources vary wildly from rich districts to poor ones? Should it be based on test scores? Subjective evaluations by the school principals? Peer review? In my 28 years of teaching, I've never found a fair way to decide which teachers deserve more money than others. Would teachers in high performing schools earn the most? What would the unintended consequences be of putting more emphasis on test scores if they were linked to how much money the teacher received? Would it create situations where one district might develop criteria to insure that virtually all teachers received merit pay, while a neighboring cash-strapped district could not afford to reward their teachers? Principals need to be held accountable for assisting their teachers with instructional or disciplinary methods that work. I do support the development of incentives to encourage some of our best and most-experienced teachers to work in low-performing schools.

A recently-released study by the RAND Corporation highlighted the problems and needs of California's public schools:

- California scores better than only Louisiana and Mississippi on national tests of student achievement.
- California has the second-highest ratio of students to teachers in the U.S.
- California pays teachers the least, on average, of the five largest states.

The Governor's proposals do very little to address the real issues – investing in education, and attracting and retaining quality teachers. Preschool experience for four-year-olds, especially in under-served communities, and giving schools the flexibility they need to meet the challenges of their students, will help create the educated workforce that California will need to grow our economy. Other states are making education a much higher priority while California is still close to the bottom in per-pupil spending. To be competitive, we need to make this same commitment. I am happy to admit that children are one of my "special interest groups."

Fortunately, the Resources and CalEPA budgets remain relatively intact, largely through fees or voter-approved bonds. A more detailed budget description will be highlighted in my February newsletter, along with an update on the Governor's California Performance Review recommendations and the four major reforms outlined in his State of the State speech.

Other budget issues that the Governor and the Legislature Will Have to Address or Negotiate:

- Closing corporate tax loopholes.
- Operating more efficiently, and reducing duplication of efforts wherever possible.
- Maximizing Federal tax dollars coming to California. For every \$1 California sends to Washington, D.C., our state gets only 70 cents in return.

- The Governor's proposal to reduce MediCal services, suspending COLAs, requiring more co-pays, capping dental services, etc.
- The Governor's proposal to reduce state reimbursements to counties for in-home supportive services. This will directly and adversely affect the ability of counties to provide more cost-effective services that allow people, especially the elderly or disabled, to stay in their own homes.
- Cuts and deferrals of over \$1 billion in state transportation projects, and suspending, again, voter-approved Prop. 42 transportation funding.
- Eliminating approximately 100 state boards and commissions. The good news is that the California Air Resources Board and the State and Regional Water Quality Control Board were not on the list.
- Limiting or eliminating renter and homeowner assistance payments to the elderly and disabled.
- Cuts to the CalWorks program for emergency assistance such as food or shelter.
- Dramatic cuts to pensions for state workers. (Contrary to what many people believe, state legislators do not receive a pension or retirement benefits other than what is paid into Social Security. There are only a very few exceptions for long-time legislators elected prior to 1990.)
- State Parks fee increases for needed repairs and upkeep.

Generally speaking, the Governor's budget closes the \$9.1 billion budget gap between revenues and expenditures. It does so, however, on the backs of education; health and human services to the poor, seniors, and disabled; from overdue highway and transportation projects; from state workers; and yet more borrowing. In addition, this budget does not solve the structural imbalance between revenues and expenditures. Next year (fiscal 2006-07) the budget deficit is already estimated to be \$6 billion.

In addition, the Governor proposes taking away the Legislature's discretion to weigh which services and departments may be of greater importance, or could more easily absorb cuts in funding. Instead of defining priorities as part of the process, the Governor wants to give the Legislature a very short period of time to review and balance a complex budget of \$112 billion. If agreement is not reached (and California is one of only three states that requires a 2/3rd supermajority vote of the Legislature to agree), then the State Controller would be ordered to put the budget on "autopilot" and cuts would be made across the board.

There are many problems with this approach, including unintended consequences. For example, the cost-effective and important Healthy Families insurance program for children would be cut, which would also result in the loss of 2:1 Federal matching funds.

Elizabeth Hill, the independent and nonpartisan State Legislative Analyst, has stated that "the [Governor's] proposed solution increases the problem rather than addressing it. It's a serious diminution of the Legislature's authority to appropriate funds and craft the budget."

I believe that the majority of Californians would agree that education, transportation, health care, and clean air and water should be our highest priorities. "Autopilot" across-the-board cuts would hit all of them.

Canadian Delegation Visits California for Further Talks on Climate Change

Last November, as a guest of Sierra Club Canada, I went to Ottawa to visit members of the Canadian Parliament to begin the discussion of how California and Canada could work together on reducing green house gas (GHG) emissions. Canada, one of the 90+ nations who are signators to the Kyoto Protocol which goes into effect in mid-February, is serious about making reductions to GHG in both mobile and stationary sources to reduce the impacts of climate change.

I presented to the Minister of Resources, Stephan Dion, a letter from Terry Tamminen, then head of the California Environmental



Left to Right: The Honorable Jean LaPierre, Minister of Transport; Assemblymember Fran Pavley; Speaker Fabian Nunez; Alain Dudoit, Canadian Consul General, Los Angeles.

Protection Agency. It invited their government to visit California to discuss not only GHG emission reductions, but other environmental and energy-related issues.

This week, Minister Dion, Transport Minister Jean LaPierre, another member of Parliament from the Toronto area, as well as high-ranking policy staff members, came to L.A., Sacramento, and San Francisco on a fact-finding mission. Visits to the Air Quality Management District, Rand Corporation in Santa Monica, and California Fuel Cell Partnership were on their busy itinerary.

A lengthy meeting in the Governor's office with Air Resource Board officials; Dr. Alan Lloyd, the new head of CalEPA; and Cabinet Secretary Terry Tamminen, included review of California new regulations to reduce GHG from cars and light-duty trucks. Discussions included ocean protection policies, renewable energy, security at our ports, and the "Hydrogen Highway." Governor Schwarzenegger met with the delegation during part of the meeting.

I hosted a reception to allow the delegation to meet Assembly Speaker Nunez and a large number of legislators.

A separate luncheon with a few legislative leaders, nongovernmental environmental groups, and State Controller Steve Westley focused on the benefits of a regulatory approach similar to AB 1493 over the voluntary approach that auto manufacturers want. Both the reception and luncheon were generously sponsored by the Energy Foundation.

Minister Dion said that Canada, under the leadership of Prime Minister Paul Martin, would be making their decision within the next few weeks. The potential market forces of Canada joining with California and the seven New England states that have already adopted California's regulations would affect roughly 30-35% of the cars sold in our two countries.

It is hoped that this will be a powerful incentive for American carmakers to produce cleaner cars.

Washington State Introduces Climate Change Bill

Just last week, the state of Washington introduced their Senate Bill 5099 relating to motor vehicle emissions. The bill begins with a statement of findings that "global warming is a matter of increasing concern for public health and the environment, placing Washington's environment and economy at risk." Citing risks of potential reductions in the state's water supply, low river flows impacting energy generation, increased risk of forest fires and disease, and more extreme weather events which will adversely impact agricultural production, they are taking action to reduce GHG attributed to Washington.

The rules needed accomplish these reductions will be defined by incorporating by reference the California motor vehicle emission standards set forth in final regulations issued by the California Air Resources Board.

These are the regulations pursuant to my bill, AB 1493. It's gratifying to see another state ready to join with California on this very critical issue.

Climate Change Conference in Buenos Aires



There has been a remarkable interest internationally in California's adoption of the regulations of AB 1493, to require car manufacturers to begin to reduce vehicle greenhouse gas emissions. In December, the Tenth Conference of the Parties to the U.N. Framework Convention on Climate Change (COP-10) was held in Buenos Aires. I was honored to be invited to address the thousands of delegates by teleconference.

Although the intent was a 3-5 minute statement on my bill, I was on the phone for nearly an hour, and was able to engage in a dialogue with those in attendance.

Delegates and observers wanted information on what California is doing as the national leader on this issue. They wanted to know why automakers, including those who tout a "green" image, have chosen to file lawsuits to block the new clean air regulations. And they wanted to know what the international community can do to support California in defending our right to regulate emissions.

Acquisition of Soka University as State Parkland Moves Forward

Soka University (the former King Gillette Ranch) covers 588 magnificent acres in the heart of the Santa Monica Mountains. For years it has been a very high priority acquisition by the state, but the funds have never been available and Soka was never a willing seller. Things changed suddenly early last year, when Soka representatives contacted L.A. County Supervisor Zev Yaroslavsky expressing their willingness to discuss sale to the state. Terms were quickly agreed to, and a broad coalition of funding partners that, so far, includes local residents, the City of Calabasas, L.A. County, and regional, state and Federal agencies, has come together, closing in on the need to raise the \$35 million sale price quickly. Formal action and public hearings by several of the public entities still need to take place over the next couple of months in order for the purchase option to be exercised by March 15.



If you join me in supporting this incredible acquisition, here are the key dates when agencies will be asked to approve funding allocations. They need to hear from you immediately.

- **February 17 – Santa Monica Bay Restoration Commission**
320 West 4th Street, Suite 200, Los Angeles, CA 90013
smbrc@swrcb.ca.gov
- **February 24 – Wildlife Conservation Board**
Al Wright, Executive Director
1807 13th Street, Suite 103, Sacramento, CA 95814
- **March 10 – State Coastal Conservancy**
Sam Schuchat, Executive Director
1330 Broadway, 11th Floor, Oakland, CA 94612
sschuchat@scc.ca.gov

General letters of support should also be sent to:

- **Governor Arnold Schwarzenegger**
State Capitol Building
Sacramento, CA 95814
- **Michael Chrisman, Secretary for Resources**
1416 Ninth Street
Sacramento, CA 95814

To Report Smoking Vehicles ...

I received an e-mail a couple of weeks ago from a Pacific Palisades resident who wanted to report a car that was blowing smoke from its tailpipe, but couldn't find who to contact.

There are two easy ways that you can let the South Coast Air Quality Management District know. They will send a notice to the vehicle's owner.

- Call toll free to 1-800-CUT-SMOG (1-800-288-7664)
- E-mail the information to: cut_smog@aqmd.gov

State's Agreement with Malibu on Bluffs Park Will Help Fund Soka Acquisition

For over 20 years, Malibu Little League and AYSO kids have played ball on fields the State Department of Parks and Recreation leases to the City of Malibu at Bluffs Park on PCH at the foot of Malibu Canyon Road. The Bluffs had originally been purchased by State Parks because it is a rare public vista point with a spectacular overlook of the ocean and a possible site for a visitor center. The ballfields were being heavily used, and no alternative site had been found over the years to relocate them as originally contemplated.

State Parks Director Ruth Coleman has put together a plan which will save the ballfields for Malibu Little League and AYSO, protect the surrounding open space, and provide critical funding toward the acquisition of the Soka University property.

First, the entire Bluffs Park property, roughly 93 acres, will be transferred from State Parks to the Santa Monica Mountains Conservancy. The Conservancy will then sell just the ballfields and the Michael Landon Center (roughly 10 of the 93 acres) to the City of Malibu, following an appraisal. This will ensure a permanent home for active sports in Malibu.

Second, the vast majority of the site will be deed restricted and protected by the Conservancy from any future development as permanent open space. A management plan to insure public access and permanent protections for coastal sage habitat will follow over the next couple of months, and based on community input.

Lastly, the money that State Parks saves by not having to relocate the ballfields or restore that portion of the site will be applied toward closing the gap in the purchase price of Soka University.

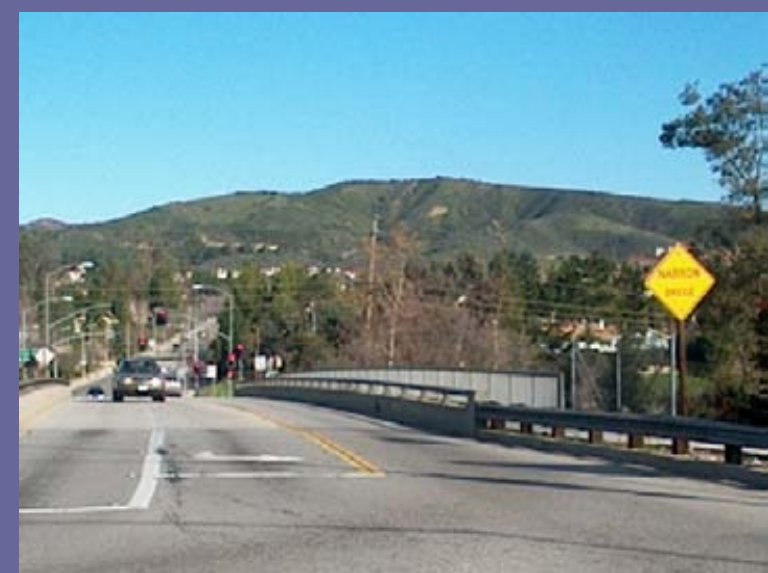
This is a real win-win-win agreement. Details still need to be worked out, but I think that all the parties can feel good about the outcome. The public keeps a beautiful vista overlooking the Pacific, the kids keep their ballfields, and Soka has moved another step closer to being saved. As Malibu Mayor Sharon Barovsky put it, "It's amazing what can be accomplished when governmental agencies, elected representatives and stakeholders work together to create and then unite behind a creative solution to a seemingly unsolvable problem."

Ormond Beach Wetlands Funding Ready for OK

On Thursday, January 27, 2005, the California Coastal Conservancy will meet in San Diego. On their agenda is the staff's recommendation that their Board authorize up to \$12,972,000 in voter-approved resource bond funds to the Nature Conservancy for the acquisition of approximately 276 acres at Ormond Beach in Ventura County. This project will restore wetlands and related habitat, and is an exciting project that the Oxnard community has dreamed about and worked toward for many years. I sent a letter of enthusiastic support to the Conservancy, and will continue to follow and help this restoration project in any way that I can.



Congressman Waxman Delivers Transportation Improvement Dollars to Agoura Hills



Most people probably don't know that Caltrans changed their policies some years ago to shift the financial responsibility for expensive, but state-owned, freeway bridge and interchange improvements that are within an incorporated city to that city. For small cities in particular, these multi-million-dollar projects become virtually impossible without some outside funding help. The interchange improvements in Agoura Hills at Kanan Road that are about to begin, for example, were made possible only because of a major matching grant from the MTA and millions of dollars in traffic mitigation fees from a new development. The city also, however, has a two-lane bridge over the 101 freeway at Reyes Adobe Road that needed widening 20 years ago, but has had to wait because of lack of funds.

Henry Waxman, who represents the L.A. County portions of the 41st Assembly District in Congress, has just been successful in getting a \$1.5 million appropriation toward the Reyes Adobe project included in the Federal 2005 Omnibus Appropriations bill. Congratulations and thank you to Congressman Waxman for his efforts that will deliver much needed funds to Agoura Hills toward a long-overdue local project.

Cal Grants Deadline is March 2

As a former teacher, I am happy that the Cal Grant program, which guarantees financial aid to all eligible students, has survived the deep budget cuts proposed by the Governor. Cal Grants are intended for middle- and low-income California residents. **Applications must be filed before March 2, 2005.** These are grants, not loans. **Funds do not have to be repaid.** I can't think of anything more important than educating California's children, and Cal Grants can be of enormous help in ensuring that students continue after high school to get that critical college education.

For information on the Cal Grant program, you can:

- Check with your high school counselor
- Call the California Student Aid Commission at 1-888-224-7268
- Visit the Student Air website at www.csac.gov.

Summer School for Arts Deadline is Feb. 28

The California State Summer School for the Arts (InnerSpark) is conducting its 19th annual search to identify the most talented high-school aged visual, literary, media, and performing artists in California. Teens who are selected will be designated California Arts Scholars. They will attend one of the country's premier summer arts institutes on the campus of the California Institute of the Arts, in Valencia from July 9 through August 6. Students who complete the program will receive three units of CSU extension course credit. More than 8,500 young Californians have attended since this unique school was established by the legislature in 1986. For many of them, it was the first step to important and successful careers in the arts and entertainment industry.

The application deadline is February 28, 2005, and financial aid is available.

For more information:

- Call Robert Jaffe, InnerSpark Director, at (916) 274-5815
- Send an e-mail to rjaffe@innerspark.us
- Visit their website at www.innerspark.us

(More)

Want to be an Assembly Fellow?

Applications are now available for the 2005-06 Assembly Fellowship Program. This 11-month program gives college graduates a unique opportunity to become full-time Assembly staff members working on fiscal and policy issues in an Assemblymember's capitol or committee office. They also participate in a weekly academic seminar with Assemblymembers, senior staff, journalists, lobbyists and state government officials, earning 12 graduate credits from California State University Sacramento. Fellows receive a monthly stipend of \$1,972 per month, plus health, dental, and vision benefits.

The only prerequisite is that applicants must have earned their undergraduate degree by September 2005. Individuals with advanced degrees or mid-career professionals are also encouraged to apply. Final selection of the 18 Assembly Fellows will be made in May. Application booklets are available at my District Office, and will be mailed on request. **Applications must be postmarked by February 23, 2005.**

Car Seat Rules Changed Effective January 1

The safest place for children when they're in a car is in the back seat. This was true before airbags, and is now even more important. While airbags have saved thousands of lives and prevented many serious injuries to adults in crashes, they can seriously injure or even kill children because of their explosive force.

Studies have shown that children who ride in the back seat suffer **one third fewer fatalities** than those in the front seat. My bill, AB 1697, which is now in full force and effect, says that children **MUST** be secured in the back seat of a vehicle in an appropriate child passenger restraint **until they are at least six years old or weigh at least 60 pounds.**



Assemblymember Pavley's Committee Assignments

Budget Committee
Education Committee
Transportation Committee
Water, Parks and Wildlife Committee
Chair, Select Committee on Air and Water Quality
Chair, Budget Subcommittee #3 on Resources
Legislative Advisory Committee – Wildlife Conservation Board
Legislative Advisory Committee – California Coastal Conservancy
Santa Monica Mountains Conservancy Board

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